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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,859	10/12/2006	Serhiy Tkachenko	NL 040389	5817

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER
SMITH, MARCUS

ART UNIT	PAPER NUMBER
2467	

NOTIFICATION DATE	DELIVERY MODE
05/04/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	10/599,859	TKACHENKO ET AL.
	Examiner	Art Unit	
	MARCUS R. SMITH	2467	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>12 October 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-16</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>10/12/06</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 16 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.   In accordance with the new USPTO's "Interim Patent Subject Matter Eligibility Examination Instructions" issued on August 24, 2009, 101 rejections will be applied if the claimed computer readable medium (even storage medium, for example) is not clearly defined to exclude non-statutory transitory media such as signals or transmission media. The 101 rejection can be overcome if the claim recites non-transitory media.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Kato et al. (US 2002/0145702).

With regard to claim 1, Kato teaches : Method of bridging two multimedia stream
sections (see abstract) comprising the steps of: detecting user-selected switching from
a first to a second section at a certain exit time (USEX) of the first section (TS1) (figure
29: out-time (PTS) for clip 1: paragraph268) and a certain entry time (USEN) of the
second section (TS2) (figure 29: in-time (PTS) for clip 2: paragraph 268), determining
an exit location (AEX) based on the user-selected exit time in the first section (Figure
37: RSPN exit from previous clip: paragraphs 276-277), which exit location has a
sequence start marker (paragraphs 278-280:SPN: figure 64 shows that source packet
number related to out-time/RSPN exit on one clip and in-time/RSPN enter on the other
clip) , selecting all media packets (V.sub.2, A.sub.2) in the first section associated with
the sequence start marker and possible media packets (A.sub.1) provided after the exit
location associated with previous sequences in the first section (see figure 97: selected
all video and audio packets after T1 til the PTS-end. paragraph 440-451), creating a
sequence end marker (E) for selected media packets of the first section (see figure 102:
presentation end time which is associated with the SPN: paragraph 467), determining
an entry location (AEN) based on the user-selected entry time in the second section
(Figure 37: RSPN enter to current clip: paragraphs 276-277, 281), which entry location
has a sequence start marker (paragraphs 278-280:SPN: figure 64 shows that source
packet number related to out-time/RSPN exit on one clip and in-time/RSPN enter on the
other clip) , selecting stream control information (SC) provided in the second section
before the entry location (figure 46 discloses clip info that will stored in Bridge clip AV
stream file: paragraphs 297-299), and creating a bridge clip (BC) (see figure 106:

forming a bridge sequence) comprising copies of said selected media packets in the first section (paragraph 480-481), the sequence end marker, a copy of said selected stream control information (paragraph 483) as well as possible filling packets (N), such that the bridge clip can be played between the entry and exit locations for providing a seamless connection between the two sections (see figure 36B, a bridge clip is designed to provide seamless connection between two clips. Also see paragraph 440).

With regard to claim 2, Kato teaches: wherein the actual entry and exit locations are the locations being closest to the user-selected entry and exit times (see figures 33 and 34, in and out times are determined with precision).

With regard to claim 3, Kato teaches: wherein the selected stream control information is the closest stream control information provided in previous sequences of the second section (see step s44 in figure 107: paragraphs 485-486).

With regard to claim 4, Kato teaches: further comprising the step of selecting a limited number of media packets (V.sub.3) in the second section after the entry location and also providing these in the bridge clip (see step s34 of figure 106: the examiner views meet data allocation condition as a limited number of media packets).

With regard to claim 5, Kato teaches: further comprising the step of selecting a limited number of media packets in the first section provided before the exit location (see step s33 of figure 106: the examiner views meet data allocation condition as a limited number of media packets).

With regard to claim 6, Kato teaches: wherein the media packets comprise video packets (V.sub.1, V.sub.2, V.sub.3) and audio packets (A.sub.1, A.sub.2, A.sub.3) and the sequence end marker in the bridge clip is provided after the last video packet (V.sub.2) associated with the sequence start marker of the exit location (see figure 97).

With regard to claim 7, Kato teaches: wherein the media packets comprise audio packets (A.sub.1, A.sub.2, A.sub.3), said method further comprising the step of copying non-selected media packets in the first section between said exit location and the last audio packet associated with the sequence start marker and replacing these copied packets with null packets and/or stream control packets (see figures 93 and 97: audio overlap).

With regard to claim 8, Kato teaches: further comprising the step of adding null packets to the packets originating from the second section in the bridge clip (paragraph 379).

With regard to claim 9, Kato teaches: wherein at least said exit location of the first section and the entry location of the second section each comprise an entry point map (EP.sub.1, EP.sub.2), which are used for identifying exit and entry locations (see figures 33 and 34: EP for in-time and EP for out-time).

With regard to claim 10, Kato teaches: further comprising the step of creating an entry point map for the bridge clip from the entry point maps of the first and second sections (TU map is associated with both clips in figures 33-34. also see figure 64).

With regard to claim 11, Kato teaches: wherein the sections are provided in the same multimedia stream (see figure 63).

With regard to claim 12, Kato teaches: wherein the sections are provided in two different multimedia streams (see figure 88).

With regard to claim 13, (see claim 1 rejection except) Kato (see figure 1) teaches:

Device (see figure 1) for bridging two multimedia stream sections provided on a storage medium (recording medium, 28) and comprising: a reading unit (readout unit, 28) and a writing unit (a write unit, 22) for reading and writing multimedia data on the storage medium (paragraph 150-153), and a control unit (controller, 23) for manipulating at least one multimedia stream provided on the storage medium (see figures 104-107: pages 24-26)

With regard to claim 14, Kato teaches : further comprising a stream separating unit (22) and a stream combining unit (28) for providing a stream of additional overhead data related to a multimedia stream (demultplexer and multiplexer: see figure 1 and page 5).

With regard to claim 15, Kato teaches: Multimedia data presentation device (10) comprising a device (12) for bridging two multimedia stream sections according to claim 13 (see figures 1, page 5).

With regard to claim 16 (see claim 1 rejection except), Kato also teaches:
Computer program product (34) to be used on a computer for bridging two multimedia
stream sections and comprising a computer program code for making the computer
execute, when said code is loaded into the computer, the following functions (See figure
108: paragraphs 491-492, 494).

Conclusion

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to MARCUS R. SMITH whose telephone number is
(571)270-1096. The examiner can normally be reached on Mon-Thurs: 8:30 am - 5:00
p.m. and Friday is a telework day.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Hassan Phillips can be reached on 571 272-3940. The fax phone number
for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marcus R Smith/
Examiner, Art Unit 2467

4/25/11